

**Town of Webster
Conservation Commission
Minutes of the Meeting – March 14, 2016**

MAR 29 2016
2:45 PM RTE
TOWN CLERK'S OFFICE

Attending: Commissioners – Richard Franas, Paul Fiske, Jeff Dowgiewicz, Al Huefner, and Joseph Kunkle, Beau Saa
Staff – Ted Tetreault, Building Commissioner

Absent: Commissioners – Joseph Kabalah

Meeting called to order: 5:30 p.m.

Location: Basement Conference Room

Chairman Franas announced the meeting was being recorded because Ms. Donoghue was not in attendance. In her place was Ted Tetreault, Building Commissioner.

Discussion – National Grid

Communication was provided by National Grid as a courtesy to indicate maintenance of 1085 linear feet of gas line and replacing with plastic line from steel along the French River. Chairman Franas read the letter to the Commission.

Mr. Kunkle asked what side of the street is that on. Mr. Tetreault indicated that it is along the existing main. Chairman Franas said that there was no map provided.

Public Hearing Continued– 35 Konkel Road (North and South) - NOI

The applicant's representative was not present, therefore, Chairman Franas continued the public hearing. Mr. Kunkle indicated all the representative wanted was a letter from Ms. Donoghue on behalf of the Commission. Mr. Dowgiewicz said that the representative did not provide Ms. Donoghue with the information she needed to draft a letter. Chairman Franas reiterated that the representative was to provide a chronology of what has taken place and what has to take place in the future for the legislation to be reviewed by the Board of Selectmen.

Public Meeting Continued – 96 Lakeside Avenue – RDA

The applicant was present for the meeting. Chairman Franas stated members of the Commission went out to look at the tree but the applicant was not present that day. The applicant indicated that he didn't know about the site visit. Chairman Franas asked if Ms. Donoghue relayed the questions the Commission had and the applicant noted that "it was something about the wires going through the tree." Chairman Franas wanted to know the purpose for the removal of the tree. The applicant stated the removal was for the placement of solar panels and the tree was blocking the whole south side of where he wants the solar panels. Chairman Franas stated the applicant should have indicated that on the application. Instead it just said "removal of a tree." Chairman Franas stated that there were wires coming from the telephone pole. Mr. Huefner asked what kind of tree. The applicant stated it was a pine tree and it blocks the "whole sense of doing it." Chairman Franas stated the tree was the only one there and was in good shape.

Mr. Huefner motioned to approve the RDA at 96 Lakeside Avenue with a negative determination with the condition that the stump remain. Mr. Dowgiewicz second; vote: all in favor.

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Continued Public Hearing – 58 Union Point – Amended COC

The applicant's representative provided copies of the new plan and stated he had a discussion with Mr. Canavan from CME. He indicated that applicants do not want to put the wall and patio on the other side of the boat house. As a result he moved the position of the retaining wall for a patio back three (3) feet, totally six (6) feet, and at an elevation of 485. He noted that Mr. Canavan suggested the pepper bush as a planting in front of the wall between the resource area and the base of the wall. He also redesigned the steps due to the new height of the elevation.

Mr. Huefner asked if the patio will be at 489, with the bottom of the wall being at 485. The representative indicated a fence would be put in place at the bottom. He said the second fence, going up toward the house was at 4 feet. Mr. Huefner noted the top of the wall was at 489 and the bottom at 485. Chairman Franas asked if the slope went down over the 18 foot area. The representative said that it will slope down from the top wall and then the patio and then another wall going down.

The representative reminded the Commission about the question of putting a wall on the other side of the steps. He indicated that he took it out and then spoke of a wall that mimics the stair height and then a wall on the other side to hold back the earth. He got rid of that and will regrade the embankment to mirror the stairs.

Mr. Huefner asked about the grade of the landing. The representative noted that it will go down 7 steps to a platform that goes to the patio and then 13 steps to the water.

Chairman Franas asked if the amendments were acceptable to all of the commissioners. Mr. Huefner asked about the setback to the wall. The representative noted it was six (6) feet and the grade was two (2) or three (3) feet. Mr. Huefner noted that it was raised five (5) feet about the water line.

The representative stated the 36" oak was to remain. All trees six (6) inches in diameter to the left-hand side will be cleaned up and new trees will be planted.

Chairman Franas asked the Commissioners if there were any other special requirements to the special conditions to the landscaping. Mr. Huefner spoke of the stone work to be done and that the 36" tree should remain. Mr. Huefner asked if there was going to be landscaping near the Loveland side. The representative stated that it would just have the hay bales on that side.

Mr. Kunkle asked if there was a worksheet for the address. The representative noted that much of the work has been done on the site from the previous OOC.

Mr. Huefner motioned to issue the amended Order of Conditions with the changes ordered, including landscaping, the sweet pepper bush, the wall being pushed back six (6) feet from the resource area and the 36" tree remaining. Mr. Dowgiewicz second; vote all in favor.

The representative asked if there is an existing Order of Conditions, there is no appeal period. Chairman Franas explained that the Amended Order of Conditions had to be recorded. The representative asked to have the Amended Order of Conditions to his office.

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Public Hearing – 33 Point Pleasant Rod – NOI

The representative for the applicant briefly reiterated the scope of work including demolishing a single family home to construct a new single family home. The representative continued by answering the set of questions provided by CME Associates including providing a more detailed grading on the plans, show wall at three (3) inches, and 52% coverage—an increase from 42% of impervious ground, cultic chambers in the front, and calculations for one (1) inch of water. A question of the demo of the existing deck in which the representative provided pictures and explained his intent to pull back. He also addressed the drainage in the roadway.

Chairman Franas asked if the new deck extended over the resource area. The representative stated that the walls are “in pretty good shape” and may replace the soils as recommended.

Mr. Huefner asked about the vegetation. The representative responded by stating he was adding mulch in areas. Chairman Franas asked about demolishing the house down in the back that is shown in a picture that the representative had. The representative stated no.

The representative stated there would be a second story to the house. Mr. Huefner asked the level of the lot. The representative answered: 41 in the front and 42 at the water. Mr. Huefner asked for the level of the lot. The representative stated that the low impact chambers would be buried 15 feet—480.5 at the top and 478.5. Conversation continued about run-off.

Chairman Franas asked if there were any more questions. Mr. Kunkle asked about a description of silt sacs for the catch basin. The representative stated it was a good idea and asked if it could be a condition.

Mr. Saad asked if there would be a tarp underneath the deck. Mr. Huefner agreed with this.

Mr. Dowgiewicz made a motion to close the public hearing for 33 Point Pleasant Road. Mr. Huefner second; vote: all in favor.

Conditions: Silt sack and tarp under deck, and standard conditions.

Public Meeting – 31 Point Pleasant Road -- NOI

Chairman Franas noted that the address of Gore Gable was wrong on the agenda, but rather was 31 Point Pleasant. Chairman Franas talked of the tree of the broken branches on the roof. Mr. Huefner noted this case could have been done as an Emergency Order. Chairman Franas noted that there is no question that the tree needs to go.

Mr. Huefner Motioned to make a negative determination for applicability for 31 Point Pleasant Road and using BMPs, and have the stump remain. Mr. Kunkle second; vote all in favor

Discussion

Mr. Tetrault notified the Commission of correspondence received from The Last Green Valley to support a grant for water analysis. Chairman Franas and Mr. Huefner stated that they volunteer for the organization. Mr. Huefner explained the mission of the organization's project and stated that the letter asking to write a letter of support for a grant.

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Mr. Huefner motioned to issue a letter of support for the Last Green Valley for petitioning the MA Land Trust Grant. Mr. Dowgiewicz second; vote all in favor.

Discussion – 29 Beacon Road – Emergency Order

Chairman Franas spoke of an initial EO for a tree that fell at 29 Beacon Road, which was taken care of by the property owner, but when they did so, they discovered damage to a patio, corner of walls, railing and pavers; all which subsequently needed replacing immediately. Chairman Franas indicated he went to inspect the situation and asked who went to see the tree. Mr. Dowgiewicz responded that he did. Mr. Huefner asked why it was an emergency. Chairman Franas noted that the urgency was because unless the property owner got it repaired, the situation would otherwise cause more damage.

Mr. Huefner asked if the EO could be amended and Chairman Franas indicated his understanding was that they could not be.

Mr. Huefner motioned to ratify the EO at 29 Beacon Road. Mr. Saad second; vote all in favor.

Public Hearing – 328 Killdeer Island Road – NOI

Public Meeting – Providence & Worcester Railroad Right-Of-Way –RDA

Other Business.

Millbrook Plaza:

Chairman Franas asked if the Commission could go out and look at it again and requested to add it to the next set of site visits and discuss it at the next meeting. Mr. Saad made a motion to do a site visit at Millbrook Plaza before the next meeting on March 28, 2016. Mr. Kunkle second; vote all in favor.

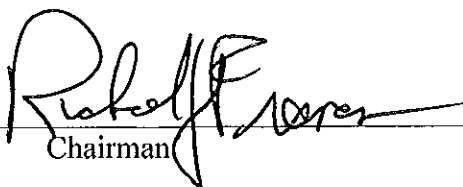
Next Meeting Date: March 28, 2016 at 5:30 p.m. – Basement Conference Room

Meeting adjourned 7:45 p.m.

All correspondence, applications, plans and reports can be viewed at the Engineering Office, 350 Main St, Webster MA 01570

Respectfully submitted,
Meagen P. Donoghue, MRP
Town Planner

Conservation Commission Approval:


Chairman

Date:

3/26/16